

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KEVIN G. JACKSON,	:	Case No. C-1-01-0756
INDIVIDUALLY, AND AS	:	
ADMINISTRATOR OF THE	:	Judge Herman J. Weber
ESTATE OF PAULA KAY JACKSON,	:	
DECEASED, et al.	:	MOTION FOR RELIEF FROM
	:	JUDGMENT OF DEFENDANT
Plaintiffs,	:	ST. PAUL INSURANCE
	:	COMPANY
vs.	:	
	:	
SOY SOK, et al.	:	
	:	
Defendants.	:	

Comes now the Defendant, St. Paul Insurance Company, by and through counsel, and pursuant to Fed. Civ. R. 60(a) moves the Court for an Order Granting Relief from Judgment in its favor and further request that the Court clarify and/or correct the order granting Plaintiff's Motion to Dismiss as entered June 23, 2004. A Memorandum in Support and proposed Entry Granting Relief from Judgment is attached hereto.

Respectfully submitted,

s/Joseph W. Gelwicks
Joseph W. Gelwicks, Esq. (0027108)
Trial attorney for Defendants The St. Paul
Insurance Company
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MEMORANDUM

Defendants, St. Paul Insurance Company joins in the Motion with Defendant, West American Insurance Company and in the interest of judicial economy herewith adopts the Memorandum of Defendant, West American previously filed herein.

Based on the foregoing, Defendant, St. Paul Insurance Company urges this Court to clarify and/or correct the Order Granting Plaintiff's Motion to Dismiss filed June 23, 2004, to include language specifying that Plaintiff is required to advance Defendants' attorneys' fees if he elects to refile this case within one year allowed by the Court.

Respectfully submitted,

s/Joseph W. Gelwicks

Joseph W. Gelwicks, Esq. (0027108)
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was mailed, via ordinary, U.S. Mail, postage prepaid, to the following on this 18th day of October 2004

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s/Joseph W. Gelwicks

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